

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS D. CROCK,)	
Plaintiff,)	
)	
v.)	Civil Action No. 09-426
)	
CITY/TOWN OF BORO OF MT.)	
LEBANON, ET AL.,)	
Defendants.)	

ORDER

Plaintiff Thomas D. Crock has filed a document, entitled "Request for Permission to Appeal Order of This Court dated Aug., 23, '10 (& reconsideration thereof)" [document #39]. In his petition, plaintiff seeks to appeal the non-dispositive order of Magistrate Judge Cathy Bissoon, dated August 24, 2010, to the Third Circuit Court of Appeals. However, pursuant to Fed.R.Civ.P. 72(a), any appeal of a non-dispositive order issued by a Magistrate Judge is to be reviewed by a District Judge, not the appellate court. It is on this basis that the Court will construe plaintiff's pleading as an appeal of Magistrate Judge Bissoon's order of August 24, 2010.

Therefore, this 26th day of August, 2010, upon review of the matters raised by the appeal, the court concludes that the order appealed from is neither clearly erroneous nor contrary to law and IT IS HEREBY ORDERED that the order referred to is AFFIRMED and the instant case is referred back to the Magistrate Judge for further proceedings.

BY THE COURT:

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